LAWES
AND ORDERS
OF
VVARRE.

M. DC. XLIII.

Eſtabliſhed for the conduct of the Armie deſigned for the expedition of VLSTER.

IN HOC SIGNO VINCES.

CASTLEHAVEN AVDLY.

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C.113.b.19

BY THE GENERALL.

Lawes and Orders of Warre, *established for the good Conduct of the Armie designed for the* Vlster *Expedition.*

IAMES Earle of *Castle-haven* and *Lord-Audley*, Generall of the Army for the *Vlster* expedition, To the Lieutenant generall, Sergeant-maior Generall, the Colonells, Lieutenant Colonells, Sergeant-maiores, Captaines, and all other Officers and Souldiers of Horse and Foote in the Army, and to all the Confederate Catholicks and others, whom these Lawes and Orders ensuing shall concerne, which Lawes and Orders hereby published under my hand, I require all the said persons respectively, and severally in this Army, or quarters of the Confederate Catholickes of this kingdome, to observe and keepe, on the paines and penalties, as by these presents are expressed.

Prayers to be frequented.

First, I doe straitly charge and command all Commanders, and Officers of the Army, to see that Almighty God be duely and reverently served, by often frequenting the Sacraments, & daily hearing of Masse, And those that often, and wilfully neglect this great good be duely punished.

Blasphemy.

2. Let no man speake impiously & maliciously against the Holy and blessed *Trinity*, or any of the Three Persons, *God the Father*, *God the Sonne*, and *God the Holy Ghost*, or against the knowne Articles of the Catholicke Faith, upon paine of death.

Heresie.

Profanation.

3. No man shall take *Gods* holy name in vaine, or use unlawfull Oaths or Execrations, or commit any scandalous act to the derogation of Gods honour, upon paine of the losse of his pay, imprisonment, and such further punishment, as a Marshall Court shall thinke his offence deserves.

Trayterous words.

4. No man shall use any Trayterous words against his Maiesties sacred Person, or Royall Authority, upon paine of death.

Disobedience to Commanders.

5. No man shall speake, or practise any thing to the dishonour or destruction of the Supreame Councell of the Confederate Catholickes of *Ireland*, on paine of death.

Disobedience to Commanders. Mutiny.

6. No man shall offer any violence against, or contemptuously disobey his Commander, or doe any act, or speak any words which are like to breed any Mutiny in the Army, or Garrison, or impeach the Generall, Lieutenant Generall, or principall Officers directions on paine of death.

Not repairing to the Rendezvous. Extortion, &c. upon a March.

7. No man shall wilfully, or thorow grosse ignorance, fayle in comming to the Rendezvous, or Garrison assigned to him by the Generall, or other principall Officer, that commands the Army, upon paine of death.

8. No Captaine, Officer, or Souldier, of Troope, or Company, on their March thorow any Countrey within our quarters, or which shalbe in peace or Cessation with us going to any Garrison, or place of Service, shall upon any pretence of want whatsoever, commit any waste, spoyle, or violence, or extort any victuals, Mony or pawne in liew of victuals, from any good subiect whatsoever, but shall content themselves with meat and drinke competent; paying the usuall & accustomed Rates for the same, upon paine of death. But, if in time of open action, by occasion of any March thorow the Countrey the Souldier shalbe in want, then the Officer, shall seeke and provide such diet and lodging for them as shalbe thought fit, at reasonable Rates heretofore accustomed, for the which, the Captaine or Officer, shall give ready Mony, or for want thereof deliver his Ticket, to be satisfied upon his Entertaynment.

Persons not inrolled in the Army.

9. No man that carries Armes, or pretends to be a Souldier, shall remayne three dayes in the Army, after it is on foote, except hee bee inrolled in some Company, on paine of death.

Not repairing to the Colours.

10. No man shall fayle immediately to repayre unto his Colours (except upon evident necessity) when an Allarme is given, upon paine of death.

Holding Intelligence with or Relieving the Enemie.

11. No Officer or Souldier whatsoever shall have conference or Intelligence with any enemy, or Rebell, that is in open action against his Majesty, or the Confederate Catholickes, or harbour, or receive any such within the Campe, or in any Towne, Fort, Castle or Garrison, or shall send, or procure to be sent, any victuall, Ammunition, or other reliefe to any Enemy, or Rebell in action; Neyther shall doe any other thing to the danger, or prejudice of the Armie, or being acquainted therewith, shall conceale the same from the chiefe Officer, upon paine of death: Onely such as shall be avowed, and warranted thereunto by me, or those that command the Army in

in my absence, may speake, conferre, have Intelligence, or converse with the enemy, or rebell, for the advantage of his Maiesties service.

Revolting to the Enemy.

12. No man shall runne to the Enemy, or Rebell, that is in action, or depart the Army, from the Garrison, or Colours, without licence, upon paine of death.

Departing frō captaine.

13. No Souldier shall depart from his Captaine without licence, though he serve still in the Army, upon paine of death.

Entring, or going out of the Campe by unusuall wayes.

14. No man shall enter, or goe out of the Army, or Garrison, but by ordinary wayes, upon paine of death.

Watch-word.

15. No man shall make knowne the *watch word* to the Enemie, or any other, but by Order, nor give any *Word*, other than is given by the Officer, on paine of death.

Sentinell & watch.

16. No man being set Sentinell by his Officer, shall sleepe, depart, or forsake his place, without being Relieved, or drawne of by the Officer that placed him; Nor any other person being placed upon his *watch*, shall neglect his duty commanded by his Officer, upon paine of death.

Drawing sword after the watch set

17. No man shall presume to draw his Sword, without Order, after the watch is set, upon paine of death.

False Alarme or Noyse in the night

18. No man shall give a false Alarme, or discharge a piece in the night, or make any noise without lawfull cause upon paine of death

Murther or private quarrell.

19. No man shall commit any Murther, or kill any person, or draw bloud of any, or draw Sword in private quarrell, with intent to offer violence within the Campe, or Garrison, upon paine of death.

Officers of the Watch suffering Duells.

20. No Corporall, or other Officer, commanding the Watch, shall wittingly suffer a Souldier to goe forth to private fight, upon paine of death.

Seditious words.

21. No person shall rehearse seditious words in the presence of private Souldiers without Order, upon paine of death.

Vnlawfull assembly.

22. No persons shall make any unlawfull assembly, or be present or assisting thereunto, upon paine of death.

Mutinous demand of Pay.

23. No man shall demand Money, with an unlawfull assembly, or by other way, tending to Mutiny, more especially, upon Marching towards an Enemy, or upon the execution of any Enterprize, on paine of death.

Abuse to bringers in, of Victuall.

24. No man shall outrage, or doe any violence to any that come to bring victuals to the Army, or Garrison, upon paine of death.

25. No

Deceit in Victuall, or Amunition.

25. No providor, keeper, or Officer of the Confederate Catholickes victuall, or Ammunition shall wilfully corrupt, or imbeazell any part thereof, or give any false account to the Generall, with a purpose to deceive the Confederate Catholickes, or to hinder the service, upon paine of death.

False Muster.

26. No Souldier in Musters shall answer for another, or take two payes, or Muster in a false name to defraud his Maiesty, upon paine of death.

Spoyle, or sale of Ammunition, Selling, or pawning of Armes.

27. No person shall sell, spoyle, or carry away any Ammunition, upon paine of death.

28. No Souldier shall sell, or lay to pawne his Horse, or Hackny or any part of his Furniture, Armes, or Apparell, for any respect, or pretence of want whatsoever, upon paine of death.

Robbery, or stealth.

29. No man shall steale, or take by force any Treasure, victuall, or Ammunition of his Maiesties; or take by force, or steale from any person, any Money, Armes, apparell, or other goods, being above the value of xij. d. in Marching, campe, or garrison, upon paine of death.

Betraying Castles, forts &c.

30. No man shall deliver any Towne, Castle, Fort, or Sconce, without warrant; Or depart from any strait, or passage, which hee is commanded to make good; or take passport of the Enemy, or any Rebell in action, or make any ignominious composition with the Enemy, or Rebell in action, upon paine of death.

Flying from Colours &c.

31. No man shall throw away his Armes, or abandon his Enfigne, Corner, or Guidon, or fly away in any Battaile, or Skirmish, upon paine of death:

Departing a mile from the Army.

32. No man shall depart a mile out of the Army, or Campe, without licence, upon paine of death.

Breach of Order in Chase, &c.

33. No Souldier shall breake his Order, to follow rout, or chase or to seeke any prey, or spoyle, except he be commanded by such as have authority, or further then he is so commanded, upon paine of death.

Purloyning of Prey, or Spoyle.

34. No Officer or Souldier, whensoever any prey, or spoyle shal be taken from the enemy, eyther when the Army is in the field, or by any residing in the Garrison shall attempt to imbeazell, or purloyne any part thereof, but shall endeavour themselves to the uttermost of their powers, to keepe the same together, to be disposed at the direction of me the Generall, or any other by me thereunto authorized, upon paine of death.

Ransoming of Prisoners.

35. No Captaine, Officer, or Souldier, or any other that shall take

take any prisoner, shall presume to deliver him upon any Ransome, or conceale him, but within foure and twenty houres, he shall make the same knowne unto me, or other chiefe Commander, and deliver the same prisoner under the charge of the Provost Marshall, upon paine of death.

36. No man shall Ravish, or Force any woman upon paine of death. Rape.

37. No Souldier shall burne any house, or lodging, or burne, or wilfully spoyle any Corne, Ship, or Boate, or Carriage, or any other thing that may serve for the Provision of the Armie, or his Garrison, without he be commanded so to doe by me, or some principall Officer of the Armie, upon paine of death. Burning of houses Corne, &c.

38. No man shall resist, or offend any provost Marshall, or other Officer in the execution of his office, by rescuing offenders, upon paine of death: Resisting Provost Marshals or other Officers.

39 No man that is committed, shall breake Prison, upon paine of death: Breaking of prison.

40. No man shall commit adultery or fornication, upon paine of imprisonment, banishment from the Army, or such other penalty, as by the Marshals Court shall be thought meete. Adultery.

41. No man shall beare, threaten, or dishonestly touch any man, woman or Child, upon paine of punishment, according to the qualitie of the offence. violence:

42. No Souldier serving on foote, shall carry any Boy, nor any woman shall be suffered to follow the army, upon paine of such punishment, as shall be inflicted by me the Lieutenant Generall, or other officer. Boyes, or women.

43. Every Souldier or Officer that shall be found drunke shall be committed to prison for the first offence, and if he fall into it the second time, being a private Souldier, hee shall besides his imprisonment forfeyte two months pay: If hee be an Officer hee shall loose his place. The third time a common-souldier shall have such greater punishment, as a Marshall Court shall order. Drunkennesse.

44. No man shall give any disgracefull words, or commit any act to the disgrace of any person in the Army, Garrison or any part thereof, upon paine of imprisonment, publike disarming, & banishment from the Army, as men for ever disabled to carry any Armes. And as I doe forbid all men under my command to renew any old quarels or to begin any new; so I doe acquite and discharge all men Affronts & Challenges.

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that have quarrels offered or challenge made to them, of all disgrace or opinion of any disadvantage, since they doe but the duties of Souldiers, which ought to subiect themselves to Marshall discipline. And they that provoke them, shalbe proceeded withall, as breakers of all good discipline, & enemies to the good successe of the service.

Weake Companies.

45. No Captaine shall through corruption, or willfull or grosse negligence suffer his company to grow weake upon paine of imprisonmet, losse of his place, & ignominious banishment from the army.

Deceit in Muster.

46. No Captaine, Lieutenant, or other Officer of the Army, shal in the Tender, or representmet of their Musters use any fraud, practise, or deceit whereby the Muster-Master, his Deputies, or the Commissaries may be missled, mistaken, or prevented of the due understanding of the true estate of that company, upon paine of losse of his place, and such other ignominious punishment, as by a Marshals Court shall be thought meete.

Unequall cheques.

47. No Muster-Master shall either for favour, friendship, or other by-respect whatsoever, impose a lesse or greater Checke upon any Captaine or Officer, then his default shall justly merit, or any Check at all, where no defect, or default shall appeare upon due view taken of the company; and that no Check shalbe imposed by discretion without view, upon paine that every offender, who shall be found to transgresse in all, or any part of this article, shall forfeyte his place which he holdeth, and be further subiect to such corporall, or pecuniary punishment, as by the discretion of a Marshall Court shall be thought convenient.

Cheques without view.

Defects certified, not Supplyed.

48. Every Captaine shall have a list of all the defaults in Apparell, Armes or trayning certified by the Muster-Master, or the Commissaries authorized for Musters sent unto him, attested under their hands; whereupon the said Captaine shall presently take Order, that the same be fully supplied, before the Muster then next ensuing such notice given him thereof, and every Captaine fayling in his duty herein, shall for the first neglect have one moneths pay defalked out of his entertaynment, And if he continue the said neglect without amending, and supplying the same, he shall be discharged of his place and command.

Neglect in Trayning.

49. All Captaines shall be diligent in Trayning their Companies, and shall be carefull in governing them well, and in providing for them according to the orders published for the Musters, and also shall see in all services, that they doe the duties of Souldiers, as they

will

will hope for favour or advancement, or escape ignominious discharging from their charges.

50. No Souldier shall appeare with his Armes unfixt, or undecently kept, upon paine of punishment according to the Officers good discretion. Armes Vn-Fixt.

51. No Souldier shall come, not fully armed to his Colours, being to watch, or to be exercised, upon paine of being punished, according to discretion. Defect of Armes.

52. No Captaine, or Officer shall without expresse licence in that behalfe signified, remayne or abide forth of his place, assigned unto him by me for his Garrison, upon paine of death. Non-Residence in Garrison.

53. All Captaines, or other Officers, that for the time shall have command of Troope or Company, shall see them orderly quartered as they are appointed, and as they are commanded, upon paine of the losse of their places. Orderly Quarters.

54. Everie private man and Souldier, upon paine of imprisonment shall keepe silence, when the Army is to take lodging, or when it is Marching or Imbattailling, so as the Officers may be heard and their commandements executed. Silence.

55. No man shall spoyle, or take the goods of any that dieth, or is killed in the service, upon paine of restoring double the value, but the goods of such as die in the Army or Garrison, if they make any will by word or writing, shalbe disposed of, according to their will. If they make no will, shalbe distributed to the hurt, sicke, and poore, of the Company whereof the Souldier was, or shall goe to the Hospitall of the Army. Goods of the dead.

56. No inhabitant in Towne or Countrey, shall presume to buy or take to pawne, any Horse, or Hackney of any Souldier, or any part of his Furniture, Armes, or apparell, for any respect or pretence whatsoever, upon paine of forfeyting the double value thereof, and to suffer imprisonment, untill he shall restore the goods so unduely Bought, or taken to Pawne. Buying, or taking to pawne of armes.

57. If any Horseman shall loose his Horse or Hackney, or Footman, any part of his Armes, by negligence, or lewdnesse, whereby he shall be unable to discharge the duty of his place, then untill hee shall recover the same, or furnish himselfe with as good, he shall remayne in the state and condition of a Pioner, or sustaine further punishment Loosing of Armes by Negligence.

nishment at my discretion, or other Officer thereunto authorized.

Vnwholsome Victualls. 58. No victualler shall presume to issue, or sell unto any of the Army, unsound, unsavoury, or unwholesome victuals, upon paine of imprisonment, and such other punishment, as by a Marshall Court shall be thought fit to be imposed on him, or them that shall so offend.

Vnseasonable houres for victualing houses. 59. No victualler shall entertayne Souldiers at unseasonable houres, upon paine of being severely punished.

60. No Souldier shall be a victualler without the consent of the chiefe of the Army, on paine of punishment according to discretion.

Souldiers not to be Victuallers. 61. No Captaine shall give Passport to any Officer or Souldier under his command, without my leave.

Captains not to give Passport. 62. No Captaine or other Officer of the Army shall discharge, or Cashier any Souldier entred in his Majesties List of this his Army without my privity and allowance, and my speciall warrant in that behalfe: unlesse it be by the privitie and allowance of the Officers of the Musters, upon the publike dayes of Muster.

Calheering of Souldiers 63. No inhabitant of Citie, Towne, or countrey shall presume to receive any Souldier into their service, not having sufficient authority, neyther shall any conceale, or hide any such run-away, or use meanes to convey them out of the kingdome, or to any other secret place, but shall apprehend all such, and deliver them over to the Provost Marshall, upon paine of imprisonment, as shall be thought fit by the chiefe commander to be inflicted.

Entertaining Run-awayes.

Detecting, &c. of Offenders. 64. All Captaines, Officers, and Souldiers, shall doe their indeavours to Detect, Apprehend, and bring to punishment all Offenders, and shall assist the Officers of the Army for that purpose, as they will answer their Slackness, and be censured in the Marshals Court.

Faults in generall, provided against. 65. All other Faults, Disorders, and Offences, that are not mentioned in these Articles, shall be punished according to the Generall customes, and Lawes of Warre, and therefore it is by me commanded, that all men looke to their charge, and he that hath no charge, to looke to his owne carriage, as he will answer the contrary.

66. Finally, the Lieutenant Generall of the Army, Sergeant Major Generall, the Colonells, Captaines, and all other officers of

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the Confederate Catholicks within this Kingdome, whome it may concerne, are hereby required to obſerve theſe Lawes, and to ſee them put in due execution from time to time.

Theſe Lawes and Orders I require every Captaine in the Army to cauſe to be read in the head of their ſeverall Companies forthwith, and the chiefe Officer of every Regiment are required to ſee to the carefull performance and obſervation aſwell of this Direction, as of all the ſaid Lawes and Orders.

CASTLEHAVEN AVDLY.

FINIS.